



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

June 8, 2015

BY ECF

Honorable Jesse M. Furman
United States District Judge
40 Foley Square
New York, New York 10007

Re: United States v. Wells Fargo Bank, N.A., 12 Civ. 7527 (JMF)

Dear Judge Furman:

We write on behalf of plaintiff the United States of America (the "Government") respectfully to request one additional four-day extension of time, from June 8, 2015, to June 12, 2015, to make an application to the Court, if necessary, with respect to challenges raised by Defendant Kurt Lofrano to 366 entries on the Government's privilege log. Counsel for Lofrano consents to this request. This is the Government's second request for an extension of this deadline; the Court granted the first request. *See* Dkt. Nos. 197-98. The reason for the request is that the Government requires additional time to investigate and potentially resolve the remaining issues in dispute regarding the 366 challenged entries. Should the Court grant the Government's application for an extension, counsel for Lofrano proposes filing his responsive brief on June 19, 2015, to which the Government has likewise consented.

Since the Government's last application regarding privilege issues raised by Defendant Lofrano, *see* Dkt. No. 197, the Government provided information to Lofrano's counsel regarding Lofrano's pending privilege disputes, and the parties met and conferred on Thursday, June 4, 2015. As a result of this meet and confer, the documents potentially in dispute narrowed drastically, to fewer than twenty-five. The parties continue to confer about these documents, and the need for any briefing may well be obviated entirely if the parties are able to reach agreement. Therefore, the parties have agreed to seek an extended briefing schedule in order to allow for more time during which the remaining privilege disputes can potentially be resolved and briefing avoided.

The deadlines proposed herein by the Government and by Lofrano's counsel would not affect any other fact or expert discovery deadline.

We appreciate the Court's consideration of this request.

Respectfully submitted,

PREET BHARARA
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